



Refers Item 3.
Public Hearing of September 15, 2005

MEMORANDUM

September 15, 2005

TO: Mayor Campbell and Councillors

CC: J. Rogers, City Manager
B. MacGregor, Deputy City Manager
S. Baxter, City Clerk
J. Forbes-Roberts, General Manager, Community Services
A. McAfee, Director of City Plans
L. Beasley, Director of Current Planning
F. Connell, Director of Legal Services

FROM: P. Mondor, Rezoning Planner

SUBJECT: 1133 West Georgia Street: Rezoning from DD to CD-1
1. MISCELLANEOUS CD-1 BY-LAW AMENDMENTS
2. PUBLIC VIEWING AREA

ADDITIONAL STAFF RECOMMENDATIONS:

- E. THAT the CD-1 By-law be amended as follows:
- (i) Section 5.1 to be amended by substituting '41 434 m²' for '40 932 m²';
 - (ii) Section 5.3 (f) 1 to be amended by substituting '3 048 m²' for '328 m²'; and
 - (iii) Section 5.4 (d) to be deleted.
- F. THAT staff and applicant explore low-cost opportunities at the development application stage to provide resident and limited public access to a rooftop viewing area.

1. MISCELLANEOUS CD-1 BY-LAW AMENDMENTS

When the final report on this application was completed, it had not yet been determined whether or not the proposed 'Palm Court' would be a public facility and form part of the public benefits package. When concluding the CAC (Community Amenity Contribution) negotiations, the benefits of such a facility at this location were not seen to be fully justified relative to capital and operating costs, and considering that there was no non-profit organization readily available and willing to assume its operation. The provision of public realm improvements on Bute Street, half a block west of the site, and extending from Robson Street to Harbour Green Park, to achieve an appropriate neighbourhood centre/character area and pedestrian corridor, was concluded to be preferable.

As a consequence of the foregoing, the proposed 'Palm Court' will now form a part of the hotel operation on this site, and its floor area of 502 m² (5,400 sq. ft.) must now be included in floor area calculation. As a consequence, two sub-sections of the draft CD-1 By-law need to be amended, (i) and (iii). A staff error in another sub-section must also be corrected (ii).

Staff therefore RECOMMEND that, should Council approve the rezoning application, the following also be approved:

THAT the CD-1 By-law be amended as follows:

- (i) Section 5.1 to be amended by substituting '41 434 m²' for '40 932 m²';
- (ii) Section 5.3 (f) 1 to be amended by substituting '3 048 m²' for '328 m²'; and
- (iii) Section 5.4 (d) to be deleted.

2. PUBLIC VIEWING AREA

At the meeting of City Council on July 19th, when this application was referred to Public Hearing, an additional Recommendation was approved:

- E. THAT staff, in consultation with the proponents, bring to the Public Hearing several alternatives for providing public access to a viewing area on or near the roof and alternatives for similar access to the roof for those who live in the building.

The possibility of a rooftop public observation deck on this proposed higher building was considered by staff and the applicant at the rezoning enquiry stage and during review of the rezoning application. City staff, and also the Urban Design Panel, were concerned that the staging and assembly area required at ground level for a public facility of this nature would be very difficult if not impossible to achieve on a site of this size. The applicant also advised of the physical and related cost consequences, particularly for the provision of additional, separate elevators, which would also seriously compromise the efficiency of the tower's relatively small floorplates of approximately 650 m² (7,000 sq. ft.). The cost implications became a serious concern to staff in view of several needs and opportunities in the surrounding area and downtown, particularly childcare, cultural infrastructure, and affordable housing in the Triangle West and Coal Harbour neighbourhoods.

In response to City Council request, the applicant team has considered the possibility of a rooftop viewing area for buildings residents and escorted members of the public. In a recent submission, the applicant identifies serious constraints. (See applicant's submission attached) In summary, the rooftop area, which is already small to begin with, will have a mechanical room too crowded with various equipment to enable even limited semi-public access.

As a preferred alternative, the applicant offers the possibility of a public observation floor immediately above the highest hotel floor (26th storey). This floor is envisaged to offer food and beverage service and be operated by the hotel. The concept is quite preliminary and the applicant advises that there would be cost implications which ought to be compensated, through a combination of additional residential floor area (and building height) and a reduction on in the Community Amenity Contribution which has been offered.

Staff do not support this second alternative. With respect to height, as discussed in the referral report (page 7), an acceptable height range for this higher building was carefully determined through skyline analysis, and considering what would be an appropriate relationship to the building at 1120 West Georgia whose floorplate size is considerably greater. With respect to community amenities and public benefits, the same conclusion can be put forward today as was reached earlier regarding a rooftop public observation deck. The multi-million dollar cost of such an amenity is not justified in relation to the number and diversity of residents and others, in surrounding neighbourhoods and downtown, which would be served by childcare, cultural infrastructure, affordable housing, public realm improvements and related amenities and services.

Having said this, given the process to date, it will be appropriate for staff and the applicant to continue to explore low-cost opportunities at the development application stage to provide resident and limited public access to a rooftop viewing area. To this end, staff put forward RECOMMENDATION F.

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Attachments

On September 11, 2005, the applicant submitted the following:

“In response to the request by Council and in consultation with City staff we have investigated the implications of introduction of a public viewing area function into the 1133 West Georgia Street project.

Our initial investigation was to examine a public viewing area at or near the top of the building. A number of concerns with this location were immediately apparent. Incompatibility of public access with the residential use of the upper half of the tower would result in the introduction of extra elevator service into the building core. This enlargement of the core would have a negative impact on floor plate efficiency in an already slender building footprint to an extent where it would be below industry norms. Additionally, at the initial urban design panel meeting of March 16th for this project serious concerns were raised as to the viability of this constricted site to accommodate all the elements necessary for the success of a standalone public observation deck facility – especially at the ground plane.

A second suggested location was examined closer to the hotel portion of the tower and it became evident that the introduction of a public view opportunity linked the hotel portion of the project would alleviate UDP and staff concerns about the viability of a standalone facility and our own concerns regarding compatibility with the residential portion of the project.

Locating the public viewing area directly above the hotel portion of the development as part of the hotel program would enable the use of the elevators serving the hotel portion of the tower. The observation floor would displace one floor of residential space but would be separated from residential use by the mechanical transition floor. An additional residential floor would be added to the building to compensate for this displacement.

Construction of the observation level and the management, servicing, maintenance and ongoing viability of this observation area could be underwritten by:

- A portion of the CAC package reassigned to the observation deck
- The addition of extra revenue area to the project in the form of additional residential floors added to the building height.

Some combination of these two mechanisms could also be considered.

Please find attached an explanatory section outlining the proposed location of the observation deck within the tower. [on file] “

In response to a staff request for further detail regarding a rooftop viewing area, for residents and escorted public, the applicant advised:

We have analyzed the suggestion of a limited walk-up public viewing area at the mechanical penthouse level of the building and have concluded that due to space restrictions it is not feasible to include this element and the other elements envisaged in our present design, which include:

- Equipment associated with the solar tubes located at the parapet
- The possibility of a Tuned Mass Dampener required for the structural system of this tall, very slender tower.
- Elevator machine rooms
- Mechanical Equipment such as cooling towers

We believe our suggestion of a public viewing area at the centre of the building linked to the hotel program and managed by hotel personnel to be a more viable option.

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